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January 30, 2019

VIA ECF

Honorable Judge Sterling Johnson, Jr.
United States District Court
Eastern District of New York
225 Cadman Plaza
Brooklyn, New York

**Re: *Cantu-Mariano v. Elite Café Inc. et al.*
Civil Action No. 1:17-cv-03814-SJ-RML**

Dear Honorable Judge Johnson:

As this Honorable Court knows, my office was retained very recently in connection with the above captioned matter. We represent B & I Elite Café LLC and Benjamin Haimoff in this action.

At our Conference on January 16, 2020, your Honor Ordered that we begin with Jury Selection on March 2, 2020, a JPTO due date of February 15, 2020, Voir Dire and Jury Instructions to be submitted on February 14, 2020, and a Pretrial Conference set for February 20, 2020. At the end of the conference, following the advice of this Court, the parties re-initiated the conversation with regards to settlement. The Defendant and the Plaintiff, since that date, have made positive progress with respect to their discussions.

We would like to continue these settlement talks, as we believe that the best outcome, is one that is amicably reached between the parties. However, we believe that the fast approaching deadlines will act as a major impediment to settlement. As the Defendants' incur more fees with respect to this representation, the amount they will have to allocate to settlement will be reduced. Likewise for the Plaintiff, if the Plaintiff is forced to begin preparing a JPTO and for a trial, the amount they will now seek to settle these claims will only increase. Thereby, pushing us further away from an amicable resolution.

I therefore ask this Court, in the interest of allowing the parties to attempt to settle this matter, to extend the deadlines listed above by 60 days respectively. This will provide ample time for the Defendants and the Plaintiff to continue their settlement conversations, and with any luck settle this matter.

The only dates that the Defendants cannot start a trial on, due to the Passover holiday, are between April 6, 2020 and April 17, 2020, any other date would work for both parties. Plaintiff consents to this request. This is the first request made to extend the JPTO due date, Voir Dire submissions, Trial Date, and Pretrial conference date.

I thank the Court in advance for its consideration and attention to this matter.

Very truly yours,

/s/ Abraham Hamra

Abraham Hamra, Esq.

Varacalli & Hamra, LLP